

a second insulating film formed on said first upper wire and over said first insulating film, said second insulating film including a thin area over said first conductor for guiding a laser beam.

### **REMARKS**

In the Final Office Action ("FOA"), the Examiner indicated that claims 1, 2, 5-23, 30-32, and 36-44 are allowed and objected to claims 34 and 35 as being dependent upon a rejected base claim, but indicated that they would be allowable if rewritten in independent form including all the elements of the base claim and any intervening claims.

By this Amendment, Applicants propose rewriting claims 34 and 35 in independent form including all the elements of base claim 33. Accordingly, Applicants respectfully request that the Examiner withdraw the objection to claims 34 and 35 and allow these claims.

Additionally, the Examiner maintained the rejection of claim 33 under 35 U.S.C. § 102(e) as anticipated by Huang et al., U.S. Patent No. 6,162,686 ("Huang"). By this Amendment, Applicants propose canceling claim 33 without prejudice or disclaimer of the subject matter thereof. Accordingly, upon entry of this Amendment, the rejection of claim 33 will be rendered moot.

Applicants respectfully request that this Amendment under 37 C.F.R. § 1.116 be entered by the Examiner, placing claims 1, 2, 5-23, 30-32, and 34-44 in *prima facie* condition for allowance. Applicants submit that the proposed cancellation of claim 33 and the rewriting of claims 34 and 35 do not raise new issues or necessitate the undertaking of any additional search of the art by the Examiner, since all of the elements and their relationships claimed were either earlier claimed or inherent in the claims as examined. Therefore, this Amendment should allow for immediate action by the Examiner.

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Furthermore, Applicants submit that the entry of the amendment would place the application in better form for appeal, should the Examiner dispute the patentability of the pending claims.

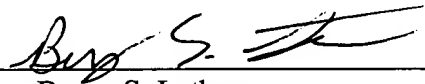
Attached hereto is a marked-up version of the changes made to the claims by this Amendment. The attachment is captioned "**Appendix to Amendment of July 29, 2003**".

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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Dated: July 29, 2003

By:   
Bryan S. Latham  
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**Appendix to Amendment of July 29, 2003**

**IN THE CLAIMS:**

Please rewrite claims 34 and 35 in independent form, as follows:

34. (Twice Amended) [The semiconductor device of claim 33, further comprising:] A semiconductor device comprising:

a semiconductor substrate;

a first insulating film formed on said semiconductor substrate;

a first conductor formed on said semiconductor substrate through said first insulating film;

a first upper wire formed on said first insulating film and said first conductor; and

a second insulating film formed on said first upper wire and over said first insulating film, said second insulating film including a thin area over said first conductor for guiding a laser beam;

a second conductor formed on said semiconductor substrate through said first insulating film below the thin area; and

a second upper wire formed on an extension line of said first upper wire on said first insulating film and said second conductor beneath said second insulating film.

35. (Amended) [The semiconductor device of claim 33, wherein said first conductor includes] A semiconductor device comprising:

a semiconductor substrate;

a first insulating film formed on said semiconductor substrate;

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a first conductor formed on said semiconductor substrate through said first insulating film, including a first portion formed on said semiconductor substrate and a second portion formed on the first portion made of a different material from that of the first portion;  
a first upper wire formed on said first insulating film and said first conductor; and  
a second insulating film formed on said first upper wire and over said first insulating film, said second insulating film including a thin area over said first conductor for guiding a laser beam.

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